

An Account of the PROCEEDINGS

A G A I N S T

Capt. Edward Rigby,

At the Sessions of Goal Delivery, held at Justice-Hall in the Old-Bailey, on Wednesday the Seventh Day of December, 1698. for intending to Commit the Abominable SIN of SODOMY, on the Body of one William Minton.

Printed by Order of the Court.

AN Indictment was found against Captain Rigby, for that he, the Seventh day of November last, did Solicite, Incite, and as well by words as otherways, endeavour to perswade one *William Minton* (of about the Age of Nineteen Years) to suffer him the said Rigby, to commit the Crime of Sodomy with him the said Minton. And the said Rigby did also Endeavour and Attempt, to Commit the Crime of Sodomy with him the said Minton; and did also do and perpetrate divers other Enormities and abominable things, with an intent to Commit the Crime of Sodomy with the said Minton.

Captain Rigby being sensible of his Guilt, and unwilling the same should be disclosed to the World, would not therefore Plead *Not Guilty* to his Indictment; neither would he confess the same, but Demurr'd to the Indictment, in hopes, as his Council alledged, that they might find some Fault therein; but upon Arguing the Demurrer, the Court were of Opinion the Indictment was good, and therefore Judgment was given against Rigby, which was the same as if he had Plead *Guilty*. And on the last day of the Sessions, the Council for the King demanded Judgment against him, which could not be Adequate to his Crime; and for the Information of the Court, in order to give a Just and Exemplary Judgment, pray'd, That several Affidavits which were produced might be Read, which accordingly were Read; whereby it appeared, That on Saturday the Fifth of November last, Minton standing in St. James's Park to see the Fireworks, Rigby stood by him, and took him by the hand, and squeez'd it; put his Privy Member Erected into Minton's Hand; kist him, and put his Tongue into Minton's Mouth, who being much astonish'd at these Actions went from him; but Rigby pursued him, and accosted him again; and after much Discourse prevailed with Minton to tell him where he lodged, and to meet him the Monday following about Five a Clock, at the George-Tavern in the Pall mall, and to Enquire for Number 4. Minton the next day Acquainted Charles Coates, Esq; (with whom he lived) with what had happened to him the Night before, and desired his Advice and Direction therein; who with a Worthy Divine then present (being willing to detect and punish the Villany designed by Rigby) directed Minton to apply himself to Thomas Railton Esq; a Justice of the Peace for Middlesex; who being informed of what past between Rigby and Minton, appointed his Clark with a Constable, and two other Persons, to go with Minton to the George-Tavern, who were to stay in some Room adjoyning to the Room whereinto Minton should go: and if any Violence should be offered to him, upon crying out (*Westminster*) the Constable and his Assistance should immediately enter the Room.

That on Monday the Seventh of November last, about Four of the Clock in the Afternoon, Rigby came to the George-Tavern, and left Number 4. at the Bar, with Directions, That if any Enquired for that Number, to send them to him; after Rigby had been about an Hour at the Tavern, (Minton not coming) Rigby called up one of the Drawers, and in a Passionate manner, bid him go to Minton's Lodgings, and enquire for a young Gentleman; and if he were within, to tell him a Gentleman staid for him at the George-Tavern; the Drawer accordingly went, but Minton not being within, the Drawer return'd That Answer to Rigby.

That about six a clock *Minton* came to the *George Tavern*, enquired for Number 4. and was shewed into the room where *Rigby* was, and he Constable and his assistance were placed in a Room adjoyning; *Rigby* seemed much pleased upon *Mintons* coming, and drank to him in a glass of Wine and kist him, took him by the Hand, put his Tongue into *Mintons* Mouth, and thrust *Mintons* hand into his (*Rigby*) Breeches, saying, *He had raised his Lust to the highest degree*, *Minton* thereupon askt, *How can it be, a Woman was only fit for that*, *Rigby* answered, *Dam'em, they are all Port, I'll have nothing to do with them*. Then *Rigby* sitting on *Mintons* Lap, kist him several times, putting his Tongue into his Mouth, askt him, if he should F——him, how can that be askt *Minton*, I'll show you answered *Rigby*, for it's no more than was done in our Fore fathers time; and then to incite *Minton* thereto, further spake most Blasphemous words, and said, *That the French King did it, and the Czar of Muscovy made Alexander, a Carpenter, a Prince for that purpose*, and affirmed, *He had seen the Czar of Muscovy through a hole at Sea, lye with Prince Alexander*. Then *Rigby* kist *Minton* several times, putting his Tongue in his Mouth, and taking *Minton* in his Arms, whilst he might lye with him all night, and that his Lust was provoked to that degree, he had —— in his Breeches, but notwithstanding he could F——him; *Minton* thereupon said, *sure you cannot do it here*, yes, answered *Rigby*, I can, and took *Minton* to a corner of the Room, and put his Hands into *Mintons* Breeches, desiring him to pull them down, who answered he would not, but he (*Rigby*) might do what he pleased; thereupon *Rigby* pulled down *Mintons* Breeches, turn'd away his shirt, put his Finger to *Mintons* Fundament, and applyed his Body close to *Mintons*, who feeling something warm touch his Skin, put his hand behind him, and took hold of *Rigbys* Priv Member, and said to *Rigby*, *I have now discovered your base Inclinations, I will expose you to the World, to put a stop to these Crimes*; and thereupon *Minton* went towards the door, *Rigby* stopt him, and drew his Sword, upon which *Minton* gave a stamp with his foot, and cry'd out *Westminster*; then the Constable and his Assistance came into the Room, and seized *Rigby*, who offer'd the Constable a Gratuity to let him go, which he refusing, carryed *Rigby* before Sir Henry Dutton Colt, before whom *Minton* charged *Rigby* (who was present) with the Fact, to the effect before related; who being askt by Sir Henry Colt, *Whether the Fact Minton had charged him with were True*, *Rigby* denyed not that the Charge against him was true, only objected against some inconsiderable Circumstances, which no ways tended to the lessening of the Charge.

That after all the Informations were read, *Rigby* was askt by the Court, *What he had to say for himself*, he desired that a Gentlemans Affidavit who was present when this matter was transacted might be read; the Court told him, *That that Gentleman stood Indicted in the same Indictment with him, for being Aiding, Advising, and Assisting to him, in committing his Crime, and therefore could not be an Evidence for him*. *Rigby* was askt by the Court what further he had to say, he insisted on his Innocency, that he was misadvised by his Council in Demurring to the Indictment, which if he had known had been Confessing of the Fact in case the Court had been of Opinion that the Indictment was sufficient, he would not have done it; but seeing the Law was so he must submit to it; he said he was Drunk, and might kist *Minton* several times. To which it was answered by the Kings Council, *That his (Rigbys) Council had well advised him, and he knew his Guilt to be such, That it would be proved by Three or Four Witnesses beyond all contradiction, and therefore Rigby Demurred to the Indictment, in hopes thereby his Crime would not be Disclosed, as it must have been if he had pleaded Not Guilty to his Indictment, and submitted to a Tryal; but as the Fact had now been made publick in Court; and it also appearing that he was not Drunk when he Committed it*.

It was therefore prayed by the King's Council, that the Court would give an Exemplary Judgment against him, for that Crime of which, by his own Confession, he stood Convicted, and was not in its Nature to be Aggravated.

And the Judgment which was pronounced by the Court against *Rigby*, was, viz.

That he stand Three several Days in the Pillory, for the space of two Hours, from Eleven of the Clock to One, in each of those days.

The First day over-against the George-Tavern in the Pall-mall; the Second day at Charing-Cross, and the Third day at Temple-Bar.

That he pay a Fine of 1000 l. to the King.

That he lye in Prison for a Year, after he shall have paid his Fine.

And that before he be discharged out of Prison, he shall find sufficient Sureties for his good Behaviour for Seven Years.